

REMARKS

Reconsideration of the present application is hereby requested. Claims 38-58 have been amended herein to correct typographical errors and inconsistencies in dependency. The amendment of these claims herein has not been undertaken to limit the scope of the claims as filed or for any reason relating to the substantive patentability of these claims. Upon entry of the above amendment, claims 19-31 and 37-58 remain pending in the application.

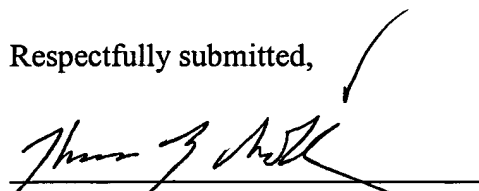
Restriction Requirement

A restriction requirement was set forth in the above-referenced Office Action. This action requires an election of one of the two following groups: Group I, which includes claims 19-31 and 37-58; and Group II, which includes claims 32-36 and 59-73. Applicant hereby elects, without traverse, the claims of Group I, claims 19-31 and 37-58. Applicant reserves the right to pursue the cancelled claims or similar claims in another application.

Should the Examiner have any questions regarding the foregoing response, he is invited and urged to telephone the undersigned attorney.

5/8/03
Date

Respectfully submitted,



Thomas B. McGurk
Attorney for Applicant
Reg. No: 44,920

WOMBLE CARLYLE SANDRIDGE & RICE
A Professional Limited Liability Company
P.O. Box 7037
Atlanta, GA 30357-0037
404-888-7462 (Telephone)
404-879-2994 (Facsimile)

APPENDIX

Claims 38-58 have been amended in the present application as set forth below. Additions to the claims are underlined, and deletions are shown in brackets.

38. (Amended) The planar structure of claim [36]37, wherein each of the flakes has a particle size between about 0.5 mm and about 30 mm and a thickness between about 1.0 and about 400 μm .
39. (Amended) The planar structure of claim [36]37, wherein each of the flakes has a particle size between about 0.5 mm and about 10 mm and a thickness between about 10 μm and about 100 μm .
40. (Amended) The planar structure of claim [36]37, wherein each of the flakes has a particle size between about 1.5 mm and about 10 mm and a thickness between about 1.5 μm and about 50 μm .
41. (Amended) The planar structure of claim [36]37, wherein each of the flakes has a thickness between about 1.5 μm and about 50 μm .
42. (Amended) The planar structure of claim [36]37, wherein the organic polymeric material includes at least one polymer selected from a poly (meth)acrylate, a polyvinylacetate, a product of a reaction between a carboxylic acid and an epoxidation product of a carboxylic acid ester, and [a mixture]mixtures thereof.
43. (Amended) The planar structure of claim [41]42, wherein the carboxylic acid is a dicarboxylic acid.
44. (Amended) The planar structure of claim [42]43, wherein the dicarboxylic acid is selected from maleic acid, itaconic acid, fumaric acid, succinic acid, methylsuccinic acid, malic acid, furandicarboxylic acid, phthalic acid, tartaric acid, citraconic acid and mixtures thereof.

45. (Amended) The planar structure of claim [41]~~42~~, wherein the carboxylic acid is polycarboxylic acid.
46. (Amended) The planar structure of claim [44]~~45~~, wherein the polycarboxylic acid is selected from citric acid, aconitic acid, trimellitic acid and mixtures thereof.
47. (Amended) The planar structure of claim [41]~~42~~, wherein the carboxylic acid is a carboxylic acid derivative from an anhydride, a partial ester and [~~mixture~~]mixtures thereof.
48. (Amended) The planar structure of claim [46]~~47~~, wherein an alcohol component of the partial ester is a polyol.
49. (New) The planar structure of claim [47]~~48~~, wherein the polyol is selected from dipropylene glycols, propandiols, butanediols, hexantriols, pentaerythritols, glycerins and mixtures thereof.
50. (Amended) The planar structure of claim [48]~~37~~, wherein the organic polymeric material includes a mixture of citric acid with a partial ester of maleic anhydride and dipropylene glycol.
51. (Amended) The planar structure of claim [49]~~50~~, wherein the mixture includes up to about 50% by weight citric acid.
52. (Amended) The planar structure of claim [49]~~50~~, wherein the mixture includes up to about 25% by weight citric acid.
53. (Amended) The planar structure of claim [41]~~42~~, wherein the epoxidation product of a carboxylic acid is selected from epoxidized linseed oil, epoxidized soybean oil, epoxidized castor oil, epoxidized rape-seed oil, epoxidized veronia oil and mixtures thereof.

54. (Amended) The planar structure of claim [36]37, wherein the linoleum sheet includes from about 1% to about 15% by weight of the flakes.
55. (Amended) The planar structure of claim [36]37, wherein the linoleum sheet has a thickness of about 0.8 mm to about 4.0 mm.
56. (Amended) The planar structure of claim [36]37, wherein the flakes are single-colored.
57. (Amended) The planar structure of claim [36]37, wherein the flakes are multi-colored.
58. (Amended) The planar structure of claim [36]37, wherein the flakes include at least one agent selected from an optical brightening agent, a fluorescent agent, a phosphorescent agent and [a mixture]mixtures thereof.